

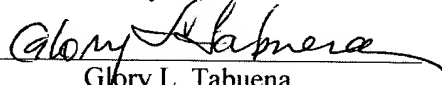


IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Patent Document 1600/2900

In re Application of Lowman <i>et al.</i> Serial No.: 09/716,028 Filed: November 17, 2000 For: <i>Anti-IgE Antibodies and Method of Improving Polypeptides</i>	Group Art Unit: 1644 Examiner: G. Ewoldt CERTIFICATE OF MAILING I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner of Patents of Patents and Trademarks, Washington, DC 20231 on May 16, 2001  Glory L. Tabuena
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INFORMATION DISCLOSURE STATEMENT

Commissioner of Patents and Trademarks
Washington, DC 20231

Sir:

Applicants submit herewith patents, publications, or other information (attached hereto and listed on the attached revised Form PTO-1449) of which they are aware, which they believe may be material to the examination of this application and in respect of which there may be a duty to disclose in accordance with 37 CFR §1.56.

This Information Disclosure Statement is filed in accordance with the provisions of:

☐ **37 CFR §1.97(b)**

- within three months of the filing date of the application other than a continued prosecution application under 37 CFR §1.53(d); or
- within three months of the date of entry of the national stage of a PCT application as set forth in 37 CFR §1.491, or
- before the mailing of the first Office action on the merits; or
- before the mailing of the first Office action after the filing of a request for a continued examination under 37 CFR §1.114.

☒ **37 CFR §1.97(c)**

- by the Applicants after the period specified in 37 CFR §1.97(b), but prior to the mailing date of any of a final action under 37 CFR §1.113, or a notice of allowance under 37 CFR §1.311, or an action that otherwise closes prosecution in the application, and is accompanied by either the fee set forth in 37 CFR §1.17(p) or a statement as specified in 37 CFR §1.97(e), as checked below.

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01 FC:126 180.00 CH ☐ **37 CFR §1.97(d)**

- after the period specified in CFR §1.97(c), and is accompanied by the fee set forth in 37

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CFR §1.17(p) and a statement as specified in 37 CFR §1.97(e), as checked below.

[If either of boxes 37 CFR §1.97(c) or 37 CFR §1.97(d) is checked above, the following statement under 37 CFR §1.97(e) may need to be completed.]

- ☐ **37 CFR §1.97(e)** Each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this information disclosure statement.
- ☐ **37 CFR §1.704(d)** Each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application and the communication was not received by any individual designated in §1.56(c) more than thirty days prior to the filing of this information disclosure statement. Therefore, in accordance with the provisions of 37 CFR §1.704(d), the filing of this information disclosure statement will not be considered a failure to engage in reasonable efforts to conclude prosecution under 37 CFR §1.704.
- ☐ The U.S. Patent and Trademark Office is hereby authorized to charge Deposit Account No. 07-0630 in the amount of \$180.00 to cover the cost of this Information Disclosure Statement under 37 CFR §1.17(p). Any deficiency or overpayment should be charged or credited to this deposit account.

A list of the patent(s) or publication(s) is set forth on the attached revised Form PTO-1449 (Modified).

A copy of the items on PTO-1449 is supplied herewith.

Those patent(s) or publication(s) which are marked with an asterisk (*) in the attached PTO-1449 form are not supplied because they were previously cited by or submitted to the Office in a prior application Serial No. 09/109/207, filed on June 30, 1998, and relied upon in this application for an earlier filing date under 35 USC §120.

☐ BLAST results enclosed:

The undersigned also wishes to bring to the attention of the Examiner BLAST results of computerized alignments of the against sequences contained in the nucleotide and protein databases. The BLAST results are provided in paper form and are identified as reference "BLAST Results A-1- A-()" (nucleotide) and "BLAST Results B-1 - B-()" (protein) on the PTO Form 1449. Applicant requests that these references also be considered and that the Form 1449 be initialed to indicate the Examiner's consideration of the references.

A concise explanation of relevance of the items listed on PTO-1449 is:

☒ not given

☐ given for each listed item

☐ given for only non-English language listed item(s) [Required]

- ☐ in the form of an English language copy of a Search Report from a foreign patent office, issued in a counterpart application, which refers to the relevant portions of the references.

In accordance with 37 CFR §1.97(g), the filing of this information disclosure statement shall not be construed as a representation that a search has been made.

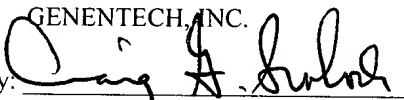
In accordance with 37 CFR §1.97(h), the filing of this information disclosure statement shall not be construed to be an admission that the information cited in the statement is, or is considered to be, material to patentability as defined in 37 CFR § 1.56(b).

In the event that the Office determines a fee to be due where none is specifically authorized in this paper, the U.S. Patent and Trademark Office is hereby authorized to charge Deposit Account No. 07-0630 in the amount of \$180.00 to cover the cost of this Information Disclosure Statement under 37 CFR §1.17(p).

Respectfully submitted,

GENENTECH, INC.

By:


Craig G. Svoboda

Reg. No. 39,044

Telephone No. (650) 225-1489



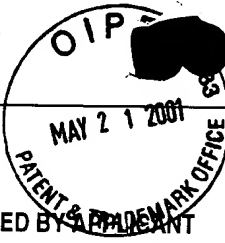
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P1123R1D1

Serial No.

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Applicant

Lowman et al.

Filing Date

17 Nov 2000

Group

1644

LIST OF DISCLOSURES CITED BY APPLICANT

(Use several sheets if necessary)

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Examiner Initials		Document Number	Date	Name	Class	Subclass	Filing Date
<i>AS</i>	1	08/146,206		Carter et al.			17.11.93
	* 2	08/232,539		Jardieu et al.			21.04.94
	* 3	08/405,617		Jardieu et al.			15.03.95
	* 4	08/437,642		Carter et al.			09.05.95
	* 5	08/466,151		Jardieu et al.			06.06.95
	* 6	08/466,163		Jardieu et al.			06.06.95
	* 7	09/115,800		Carter et al.			15.07.98
	* 8	4,255,519	10.03.81	Terada et al.			
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	*10	4,816,567	28.03.89	Cabilly et al.			
	*11	5,534,617	09.07.96	Cunningham et al.			
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	*16	239,400B1	03.08.94	EPO				
	*17	WO 93/04173	04.03.93	PCT				
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	*20	WO 95/24481	14.09.95	PCT				
	*21	WO 97/06822	27.02.97	PCT				

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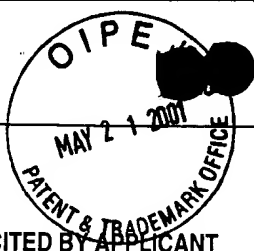
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- *66 Sims et al., "A Humanized CD18 Antibody Can Block Function Without Cell Destruction" The Journal of Immunology 151(4):2296-2308 (Aug 1993)
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